

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:03CV398-W**

**GREAT AMERICAN INSURANCE
COMPANY,**

Plaintiff,

v.

**AMERICAN FREIGHTWAY
SERVICES, INC., et. al,**

Defendants.

ORDER

THIS MATTER is before the Court following the issuance of an “Order” (document #23) by the District Judge to whom this case is assigned (the Honorable Frank D. Whitney) granting the Plaintiff’s “Motion for Discharge” (document #21) and discharging the Plaintiff from this interpleader action.

On August 15, 2003, the Plaintiff filed its “Complaint for Interpleader” requesting that the Court determine the rights of the Defendants to the proceeds of a “Property Brokers Surety Bond” and, after receiving leave from the Court, deposited those proceeds, that is, ten thousand dollars (\$10,000), with the Clerk of Court.

In light of the fact that the Defendants did not object to the Plaintiff’s Motion to Discharge, and have not taken any action to prosecute their claims to the bond proceeds, they will be ordered to promptly conduct and certify to the Court that they have conducted the Initial Attorneys’ Conference.

NOW, THEREFORE, IT IS ORDERED:

1. On or before January 31, 2007, the Defendants shall conduct the Initial Attorneys’

Conference as provided by Fed. R. Civ. P. 26(f) and Local Rule 16.1(A), and within twenty-one (21) days thereafter, shall file their “Certification of Initial Attorneys’ Conference.”

2. The Clerk is directed to send copies of this Order to counsel for the parties; and to the Honorable Frank D. Whitney.

SO ORDERED.

Signed: November 30, 2006

A handwritten signature in cursive script that reads "Carl Horn, III". The signature is written in dark ink and is positioned above a horizontal line.

Carl Horn, III
United States Magistrate Judge

